

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20991 of 2024

Arising Out of PS. Case No.-615 Year-2023 Thana- BARUN District- Aurangabad

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Vivek Kumar @ Hansh Raj Kumar Vivek Son Of Upendra Singh @ Upendra
Yadav Resident Of Khaira, Barun Aurangabad, Police Station - Barun,
District - Aurangabad, Bihar 624112

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Ravish, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant. It is next
submitted that the merits of the case has been considered in
detail in the case of *Tandal Kumar @ Tandan Kumar @ Tandle
Kumar Vs. The State of Bihar*, who had approached this Court
seeking anticipatory bail by filing Cr. Misc. No.18201 of 2024
and the same was allowed by an order dated 01.04.2024.

3. The learned counsel thus seeks anticipatory bail



based on parity. It is further submitted that petitioner will not abscond, rather will cooperate in the investigation.

4. The learned APP for the State opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the order dated 01.04.2024 in Cr. Misc. No.18201 of 2024, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Auranbagad in connection with Barun P.S. Case No.615 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court, is not cooperating in the investigation or is not appearing as and when required by the Investigating Officer, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner and to take



all coercive steps to ensure that petitioner is behind bar.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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